

FILED  
6/28/23 3:37 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:	)	
	)	Bankruptcy No. 19-24856 GLT
Jason E. Ritenour	)	
Jodi L. Ritenour	)	
	)	Debtor (s)
Jason E. Ritenour	)	
Jodi L. Ritenour	)	Chapter 13
	)	
	)	Movant(s)
v.	)	
	)	Related to Docket No. 118 and 131
	)	
Lakeview Loan Servicing, LLC, Mariner	)	
Finance, LLC, City of Latrobe Sanitation,	)	Hearing: 6/28/23 at 10:30 AM
Westmoreland County Tax Claim Bureau,	)	
and Ronda J. Winnecour, Trustee	)	
	)	Respondent(s)

**AMENDED ORDER APPROVING SALE FREE AND CLEAR OF ALL LIENS,  
CLAIMS AND ENCUMBRANCES PURSUANT TO 11 U.S.C. SECTION 363(b)**

**AND NOW**, upon consideration of the Motion for the Sale Free and Clear of All Liens, Claims and Encumbrances, and after hearing on said Motion, the Court finds as follows:

1. Pursuant to 11 U.S.C. Section 363(b), the Debtors have effectuated service of the Motion for Sale of Property Free and Clear of All Liens, Claims and Encumbrances (the Sale Motion) and the related Notice of Sale setting the hearing and response deadline upon the Respondents, and all other parties in interest as required by the applicable Bankruptcy Rules.

2. That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving party as shown by the certificate of service duly filed and that the named parties were duly served with the Motion.

3. That said sale hearing was duly advertised in: the local newspaper and legal journal in Westmoreland County, PA. Proofs of Publication to be filed when received by counsel for Debtor. The sale was also duly posted in the EASI system.

4. That at the sale hearing the highest/best offer received was that of Clark Anthony Harr ("Purchaser") and no objections to the sale were made which would result in cancellation of said sale.

5. That the price of \$180,000.00 offered by Purchaser was a full and fair price for the property in question.

6. That the Purchaser(s) has acted in good faith with respect to the within sale in accordance with In re Abbots Dairies of Pennsylvania, Inc. 788 F2d. 143(3d Cir. 1986)

7. The liens and claims to be divested are Lakeview Loan Servicing, LLC, Mariner Finance, LLC, City of Latrobe Sanitation and Westmoreland County Tax Claim Bureau.

Now therefore, **it is ORDERED, ADJUDGED AND DECREED** that the sale by Special Warranty Deed of the real property described as 128 Braddock Drive, Latrobe, PA 15650 is hereby **CONFIRMED** to Clark Anthony Harr, free and divested of the above recited liens and claims, and, that the Movant is authorized to make, execute and deliver to transfer title to the property purchased upon compliance with the terms of sale;

**IT IS FURTHER ORDERED**, that the above recited liens and claims, be, and they hereby are, transferred to the proceeds of sale, if and to the extent they may be determined to be valid liens against the sold property, that the within decreed sale shall be free, clear and divested of said liens and claims;

**FURTHER ORDERED**, that the following expenses/costs shall immediately be paid at the time of closing. **Failure of the closing agent to timely make and forward the disbursements required by this Order** will subject the closing agent to monetary sanctions, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order.

- (1) The following lien(s)/claims(s): Lakeview Loan Servicing, LLC, City of Latrobe Sanitation
- (2) Delinquent real estate taxes, if any: Westmoreland County, PA
- (3) Current real estate taxes, pro-rated to the date of closing: Westmoreland County, PA
- (4) The costs of local newspaper advertising in the amount of \$71.50 reimbursed to Scott R. Lowden, Esq., 100 Heathmore Ave., Pittsburgh, PA 15227
- (5) The costs of legal journal advertising in the amount of \$30.50 reimbursed to Scott R. Lowden, Esq., 100 Heathmore Ave., Pittsburgh, PA 15227
- (6) The Court approved realtor commission in the amount of \$7,695.00 (includes \$495 admin fee)
- (7) Court approved attorney fees in the amount of \$4,146.89 to Scott R. Lowden, Esq., 100 Heathmore Ave., Pittsburgh, PA 15227.
- (8) Chapter 13 Trustee direct “percentage” fees in the amount of \$288.58 payable to “Ronda J. Winnecour, Ch. 13 Trustee, W.D.PA, PO Box 84051, Chicago, IL 60689”

(9) Debtor exemption in the amount of \$10,285;

(10) The net remaining proceeds to the Chapter 13 Trustee payable to Ronda J. Winnecour, Ch. 13 Trustee, PO Box 84051, Chicago, IL 60689-4002, and which check will include the Debtor's name and bankruptcy case number and which will be sent with a copy of this Order, which amount after deduction of trustee fees shall be distributed as follows: (a) to pay any remaining secured claims against the subject property in full; (b) to pay any remaining priority tax claims in full; (c) to pay the remainder of debtors' counsel attorney fees as provided for in the confirmed plan dated March 28, 2023 in the amount of \$3,000.00, as shall be sought and as allowed in a Final Fee Application; and (d) the remainder of general pre-petition unsecured creditors with timely filed claims

(11) Within 30 days after the closing, the debtor shall file an amended Chapter 13 plan or Stipulated Order Modifying the Plan, seeking to treat the plan as completed by the proposed use of the foregoing proceeds of the sale, and

**FURTHER ORDERED** that:

(1) Closing shall occur within **thirty (30)** days of this Order and, **within seven (7) days following closing**, the Movant shall file a report of sale;(2)

This Sale Confirmation Order survives any dismissal or conversion of the within case; and

(3) **Within seven (7) days of the date of this Order**, the Movant shall serve a copy of the within Order on each Respondent (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the Motion or appeared at the hearing, the attorney for the debtor, the Purchaser, and the attorney for the Purchaser, if any, and file a certificate of service.

Prepared by: Scott R. Lowden, Esq.

6/28/23

Dated

  
\_\_\_\_\_  
GREGORY J. TADDONI, hct  
Chief United States Bankruptcy Judge

In re:  
Jason E. Ritenour  
Jodi L Ritenour  
Debtors

Case No. 19-24856-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Jun 28, 2023

User: auto  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 30, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ Jason E. Ritenour, Jodi L Ritenour, 446 Donohoe Road, Greensburg, PA 15601-6989

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 30, 2023

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 28, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Community Loan Servicing LLC bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Lakeview Loan Servicing LLC bnicholas@kmlawgroup.com
Chandra Marie Arkema	on behalf of Creditor Lakeview Loan Servicing LLC tuhawkeye@msn.com, carkema@squirelaw.com
Christopher A. DeNardo	on behalf of Creditor Community Loan Servicing LLC logsecf@logs.com
Joseph F. Nicotero	on behalf of Joint Debtor Jodi L Ritenour josephnicotero@gmail.com
Joseph F. Nicotero	on behalf of Debtor Jason E. Ritenour josephnicotero@gmail.com

District/off: 0315-2

User: auto

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Date Rcvd: Jun 28, 2023

Form ID: pdf900

Total Noticed: 1

Lorraine Gazzara Doyle

on behalf of Creditor Lakeview Loan Servicing LLC ldoyle@logs.com, logsecf@logs.com

Michael John Clark

on behalf of Creditor Lakeview Loan Servicing LLC mclark@squirelaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Preston D. Jaquish

on behalf of Creditor First Commonwealth Bank pjaquish@lenderlaw.com

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Scott R. Lowden

on behalf of Joint Debtor Jodi L Ritenour lowdenscott@gmail.com

Scott R. Lowden

on behalf of Debtor Jason E. Ritenour lowdenscott@gmail.com

TOTAL: 14